

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SOVEREIGN MILITARY HOSPITALLER ORDER
OF SAINT JOHN OF JERUSALEM OF RHODES
AND OF MALTA, AMERICAN ASSOCIATION,
U.S.A,

Plaintiff,

ORDER

-against-

06-CV-6736 (SLT)

SOVEREIGN ORDER OF ST. JOHN OF JERUSALEM
KNIGHTS OF MALTA CATHOLIC COPTS, INC.,

Defendant.

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TOWNES, United States District Judge:

Plaintiff, Sovereign Military Hospitaller Order of Saint John of Jerusalem of Rhodes and of Malta, American Association, U.S.A., commenced this action against Defendant Sovereign Order of St. John of Jerusalem Knights of Malta Catholic Copts Inc., by filing a Complaint in this Court on December 22, 2006. Plaintiff served a copy of the Summons and Complaint on Defendant on December 26, 2006. Defendant, however, never filed an answer to Plaintiff's Complaint. Plaintiff, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, requested a Certificate of Default from the Clerk of the Court on February 13, 2007. The Clerk issued a Notation of Default on March 8, 2007. On March 28, 2007, Plaintiff moved for default judgment pursuant to Fed. R. Civ. P. 55(b)(2).

Plaintiff having now moved for a default judgment and Defendant having failed to respond to that motion, it is hereby

ORDERED, that Plaintiff's motion for a default judgment is denied without prejudice.

In its proposed Judgment by Default, Plaintiff requests relief broader than that which it sought in

the Complaint. Plaintiff may refile its motion in accordance with this Order within thirty days of the date of this Order.

ORDERED, that Plaintiff's counsel shall serve a copy of this Order upon Defendant by Certified Mail, Return Receipt Requested, on or before October 10, 2007.

Dated: Brooklyn, New York
September 27, 2007

S/ Sandra L. Townes, USDJ.

'SANDRA L. TOWNES
United States District Judge